

IN THE

Court of Appeal of the State of California

IN AND FOR THE

Fifth Appellate District

**COURTROOM PROCEEDINGS**

The court met in its courtroom at 10:00 A.M. Present: Honorable Herbert I. Levy, Acting Presiding Justice; Honorable Gene M. Gomes, Associate Justice; Honorable Betty L. Dawson, Associate Justice; and Leisa V. Biggers Clerk/Administrator, by Anthony Lauria, Senior Deputy Clerk.

**F046814      Fowler v. Gilman**

Cause called and argued by Steven J. Lee, Esq., counsel for appellant. James C. Johnson, Esq., counsel for respondent waived oral argument.

Cause ordered submitted.

Court recessed until 1:30 P.M.

The court reconvened in its courtroom at 1:30 P.M. Present: Honorable Herbert I. Levy, Acting Presiding Justice; Honorable Dennis A. Cornell, Associate Justice; Honorable Gene M. Gomes, Associate Justice; and Leisa V. Biggers Clerk/Administrator, by Robert Abilez, Senior Deputy Clerk.

**F045737      People v. Renteria**

Cause called and argued by Linda M. Leavitt, Esq., counsel for appellant and by Julie A. Hokans, Esq., Deputy Attorney General, counsel for respondent.

Cause ordered submitted.

At this point Levy, Acting P.J. directs Cornell, J. to act as Presiding Justice in his absence, leaves the bench and is replaced by Dawson, J.

**F045628      Save Our Corridor Committee v. City of Visalia et al.**

Cause called and argued by Richard L. Harriman, Esq., counsel for appellant and by Ellen J. Garber/Daniel M. Dooley, Esq., counsel for respondents.

Cause ordered submitted.

Court recessed until Thursday, September 15, 2005 at 1:30 P.M.

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**F045176      People v. Harris**

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

**F045176      People v. Harris**

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F048078      Mario S. v. Fresno Co. Dept of Children & Family Services**

The juvenile court is directed to vacate its order issued on May 23, 2005, setting a section 366.26 hearing as to A.S. and K.S. for the reasons set forth in this court's opinion in case No. F048079. In all other respects, we deny the writ petition and affirm the juvenile court's dispositional orders and findings as to petitioner.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F048114      People v. Ogamba**

It is hereby ordered that the September 2, 2005 order dismissing the appeal is vacated. The appeal is ordered reinstated and restored to active status.

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**F045873      People v. Muldrew**

The judgment is set aside and the matter remanded for the limited purpose of permitting Muldrew, by way of counsel, to make a motion to withdraw plea. If no motion is made within 30 days from the date the remittitur is filed, or is made and denied, reinstate the judgment. Gomes, J.

We concur: Levy, Acting P.J.; Cornell, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F044841      People v. Lara**

The judgment is affirmed. Gomes, J.

We concur: Cornell, Acting P.J.; Dawson, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F047131      In re J. G. et al., Minors; Kings County Human Services Agency v. M.A.**

The juvenile court's order is affirmed. Gomes, J.

We concur: Levy, Acting P.J.; Cornell, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F047982      Javier L. et al. v. Superior Court of Madera County; Madera County  
Department of Public Welfare**

**F047992      Javier L. et al. v. Superior Court of Madera County; Madera County  
Department of Public Welfare**

Let an extraordinary writ issue directing respondent court to vacate its order of May 6, 2005, terminating Ruth's reunification services and setting the section 366.26 hearing as to S. Respondent court is directed to conduct a new 12-month status review hearing to reconsider whether S. can be safely returned to Ruth's custody. At that hearing, the court may consider all relevant evidence, including the strength of S.'s sibling bond with V. and the effect of separating them and any other evidence obtained subsequent to the May 6, 2005, review hearing.

Respondent court is further directed to conduct a paternity hearing concerning Javier's paternity status vis-à-vis S. In the event Javier's trial counsel presents a properly executed voluntary declaration of paternity, the juvenile court is directed to deem Javier S.'s presumed father.

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Respondent court's orders and findings as to V. issued on May 6, 2005, are affirmed and the stay imposed on the section 366.26 hearing by this court on August 4, 2005, is hereby lifted.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F046903      In re Cheyenne W., a Minor**

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

**F046903      In re Cheyenne W., a Minor**

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]